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C O N F I D E N T I A L SECTION 01 OF 02 CHISINAU 001106

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TAGS: [PREL](#) [PGOV](#) [PBTS](#) [MD](#)
SUBJECT: ODESSA 5-PLUS-2 DISCUSSES CONFIDENCE-
BUILDING MEASURES; A SMALL STEP FORWARD

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Classified By: Ambassador Asif J. Chaudhry for
reasons 1.4 (b) and (d)

¶1. (C) Summary: At the informal 5-plus-2 meeting in Odessa November 8, European Union Special Representative Kalman Mizsei put forth a package of confidence-building measures, to be undertaken by Chisinau and Tiraspol. Though Minister for Reintegration Sova said he was ready to sign on to all measures immediately, Transnistrian "Acting Minister" of Foreign Affairs Yastrebchak maintained that he did not have the authority to undertake these commitments. Sova and Yastrebchak agreed to meet bilaterally on Thursday November 13 to discuss terminating criminal cases, free movement and demilitarization. Sova promised to pass the "package proposal" document to the Transnistrian side so that they could offer their comments to the 5-plus-2. End summary.

Kalman Mizsei Presents CBM Package

¶2. (C) At the informal Odessa 5-plus-2 meeting November 8, European Union Special Representative Kalman Mizsei proposed a "mini-package" of six confidence-building measures, three each to be taken by Chisinau and Tiraspol. Mizsei stressed that implementation of this package might be helpful in allowing the EU to start consultations on cancelling the visa bans currently imposed on certain members of the Transnistrian leadership.

¶3. (C) The confidence-building measures to be taken by Tiraspol would be:
- Tiraspol to insure free movement of foreign diplomats;
- Tiraspol to cancel all "customs duties" currently imposed on Moldovan goods;
- Tiraspol to insure free movement of people across the Dniester.

¶4. (C) The measures to be taken by Chisinau would be:
- to terminate criminal prosecution of TN leaders;
- Chisinau to reimburse the deposit paid by Sheriff for CDMA cell telephone license never delivered (one million dollars);
- Chisinau to include Transnistrian representatives in Moldovan delegations to

various international events and to expand foreign assistance programs to cover Transnistria.

15. (C) Minister for Reintegration Sova supported the package and said he was ready to sign it right away. He suggested that there were no criminal cases against Transnistrian leaders, except the ones initiated for crimes committed after the 1992 conflict (hinting at some "MGB" leaders suspected of murder). Sova also insisted that termination of criminal prosecutions be mutual. Yastrebchak said he had no authority to make any commitments with regard to termination of Transnistrian criminal prosecutions.

16. (C) Ambassador Remler later told us Yastrebchak actually confided to him that he had no disagreement with the proposals, but could not support them as long as his hands were tied, pointing to the presence of Russian negotiator Nesterushkin at his side. Sova too complained later that the sides would be able to work things out if it were not for the Russians blocking them. Sova looked at the TN side and Nesterushkin and said that part of the problem was outside influence. Nesterushkin responded that it would be good if there were no outside influence, clearly indicating that it was the Moldovan side being influenced by others. At the coffee break a clearly irritated Sova told Ambassador Chaudhry that if the Russians don't want outside influence, it would be best if they got out of here.

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17. (C) The sides agreed to start meetings of various working groups within days. Sova and Yastrebchak agreed to meet in Bender on Thursday, November 13, at 11:00 A.M. to exchange lists of officials under criminal investigation and to identify technical legal means for terminating criminal cases. Sova suggested that this meeting also address ideas about insuring free movement across Transnistria's administrative boundary and about possible steps for demilitarization of both sides.

Free Movement, Transportation and Foreign Trade

18. (C) Sova suggested that several working groups meet in the following week (i.e. November 10-14). However, because of the CIS summit which will take place in Chisinau on November 13 and 14, all participants agreed to postpone the meetings of these working groups for another week until November 17-21. The tacit agreement was that working groups on ecology, transportation/roads and agriculture will meet, each on a separate day. Additionally, free movement would be addressed separately during the Sova-Yastrebchak meeting on November 13.

Resumption of 5-plus-2 Talks on Political Settlement

19. (C) Kalman Mizsei suggested that given the upcoming parliamentary campaign in Moldova, it would be better if the 5-plus-2 focused first on confidence-building measures, rather than on political settlement. Ambassador Chaudhry added that specific steps for political solution should

also be part of any 5-plus-2 discussion in addition to reviewing the progress of CBM working groups. Sova suggested that it would be too late to get involved in discussions of political settlement once the election campaign was underway.

¶10. (C) Sova raised the question of whether the 5-plus-2 would be ready to discuss the "package document." Yastrebchak indicated that Tiraspol had not yet received the document. Sova agreed to pass the "package document" to Tiraspol so that Yastrebchak could inform the 5-plus-2 of Transnistria's reaction to the document, and to send it to the Council of Europe Venice Commission for expert commentary.

Comment

¶12. (C) It is clear that the Russians hold the key to progress on a Transnistria settlement. With time limited before elections up ahead, it is most prudent at this point to focus on confidence-building measures which create a more productive political climate for discussions. Nonetheless, the Odessa meeting can be viewed as a step forward in the direction of starting discussions. Some concrete results are clear; all agreed that the working groups should meet soon and that these working groups are part of the 5-plus-2 process. Freedom of movement is critical both for allowing the international community the access necessary to work with Tiraspol, and to allow contacts between the sides. With the possibility of MCC money for roads development on the table, Sova and Yastrebchak will have significant incentives to make progress on freedom of movement when they meet in a bilateral format.

CHAUDHRY